

DALE HO

EXPERIENCE

AMERICAN CIVIL LIBERTIES UNION FOUNDATION (ACLU)

Director, Voting Rights Project

2013-Present

Supervise the ACLU's voting rights work nationwide, including litigation and federal/state advocacy. Conduct oral argument in the United States Supreme Court and federal Courts of Appeals, including: *U.S. Department of Commerce v. State of New York*, 139 S.Ct. 2551 (2019) (successful challenged inclusion of a citizenship question on the 2020 Census). *Fish v. Kobach*, 840 F.3d 710 (10th Cir. 2016) (obtained preliminary injunction against documentary proof of citizenship requirement); *Shelby County v. Lynch*, 799 F.3d 1173 (D.C. Cir. 2015) (defended attorneys' fees dispute in challenge to Section 4(b) of the VRA). Supervise ACLU Voting Rights Project staff attorneys. Take and defend expert depositions. Frequently comment on voting rights issues in print and live media, including appearances on [CNN](#), and op-eds in the [New York Times](#).

NAACP LEGAL DEFENSE & EDUCATIONAL FUND, INC. (LDF)

Assistant Counsel

2009-2013

Litigated voting rights cases and other civil rights matters. Conducted oral argument on dispositive motions in federal and state courts. Lead counsel in *Ferrand v. Schedler*, 2012 WL 1570094 (E.D. La. May 3, 2012) (first trial under the NVRA; obtained permanent injunction directing Louisiana to comply with the NVRA). Other matters included: *Shelby County v. Holder*, 133 S. Ct. 2612 (2013) (constitutionality of Sections 4(b) and 5 of the VRA); *Farrakhan v. Gregoire*, 623 F.3d 990 (9th Cir. 2010) (VRA challenge to felon disfranchisement); *Davis v. City of New York*, 902 F.Supp.2d 405 (S.D.N.Y. 2012) (constitutionality of NYPD stop-and-frisk practices in public housing). Drafted *amicus* briefs in cases including: *McDonald v. Chicago*, 561 U.S. 742 (2010) (incorporation of Second Amendment; cited in majority opinion, 561 U.S. at 757 n.6); *Perry v. Schwarzenegger*, 671 F.3d 1052 (9th Cir. 2012) (marriage equality). Assisted in drafting legislation ending prison-based gerrymandering in New York (2010) and California (2011).

FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LLP

NAACP Legal Defense & Educational Fund, Inc. Fellow

2007-2009

Litigated complex federal securities and antitrust matters. Lead trial counsel in a § 1983 police brutality case in SDNY. Conducted oral argument in criminal appeal before New York Appellate Division, First Department. Assisted in drafting *amicus* briefs in cases before the U.S. Supreme Court, including *Bartlett v. Strickland*, 556 U.S. 1 (2009) (scope of Section 2 of the VRA; cited in dissent of Justice Breyer, 556 U.S. at 45).

THE HONORABLE ROBERT S. SMITH, New York Court of Appeals

2006-2007

Law Clerk

THE HONORABLE BARBARA S. JONES, U.S. District Court, SDNY

2005-2006

Law Clerk

EDUCATION

YALE LAW SCHOOL, J.D., 2005

Honors / Activities:

Yale Journal of International Law, Editor
Immigration Legal Services Clinic, Student Director
Kirby Simon / Schell Center Human Rights Fellowship
Internships: Southern Center for Human Rights; International Criminal Tribunal for Rwanda

PRINCETON UNIVERSITY, A.B., summa cum laude, Political Philosophy, 1999

Honors:

Phi Beta Kappa
Alexander Guthrie McCosh Prize (Best Undergraduate Philosophy Thesis)
Class of 1869 Prize in Ethics, Center for Human Values Thesis Prize

TESTIMONY

U.S. House of Representatives, House Oversight Committee, 5/2/19 ([statement](#))
U.S. Commission on Civil Rights, 2/2/18 ([video](#))
U.S. House of Representatives, Committee on Administration, 10/25/17 ([statement](#))
California Senate and State Assembly, 6/21/11 ([statement](#)) and 5/3/11 ([statement](#)).
Connecticut General Assembly, 3/21/11 ([statement](#)).
Kentucky General Assembly, 8/23/11 ([statement](#)).
Louisiana House of Representatives, 4/7/10 ([statement](#)).
NY Leg. Task Force on Demographics & Reapportionment, 12/14/10 ([statement](#)).

MEDIA

Television: [CNN](#), [The Rachel Maddow Show](#); [Am Joy](#), [All In with Chris Hayes](#), [Hardball](#); [The MHP Show](#).
Opinion: [New York Times](#) ([7/3/17](#); [1/26/17](#); [11/3/16](#); [7/19/16](#)); [ACSBlog](#) ([6/8/10](#))

TEACHING

Adjunct Professor: NYU School of Law, Racial Justice Clinic (Fall 2014 - Present)
Brooklyn Law School, Election Law (Spring 2013 - Present)

CLE Instructor (Selected): Practicing Law Institute, Redistricting and Voting 2017: The Legal Landscape (2017)
Louisiana Legislative Black Caucus: Redistricting Seminar (2011)
Texas State Legislature: Pre-Session Legislative Conference Redistricting Seminar (2010)
National Conference of State Legislatures: Redistricting Seminar (2010)

LAW JOURNAL PUBLICATIONS

Building an Umbrella in a Rainstorm: The New Vote Denial Litigation Since *Shelby County*,
127 YALE LAW JOURNAL FORUM 799 (2018).

Something Old, Something New, or Something *Really* Old? Second Generation Racial Gerrymandering Litigation,
59 WILLIAM & MARY LAW REVIEW 1887 (2018).

Two Fs for Formalism: Applying Section 2 in Light of Changing Demographics & Electoral Patterns,
50 HARVARD CIVIL RIGHTS-CIVIL LIBERTIES LAW REVIEW 403 (2015).

Voting Rights Litigation After *Shelby County*: Mechanics and Standards in Section 2 Vote Denial Claims,
17 NYU JOURNAL OF LEGISLATION & PUBLIC POLICY 675 (2014).

Minority Vote Dilution in the Age of Obama,
47 UNIVERSITY OF RICHMOND LAW REVIEW 1041 (2013).

NAACP v. Alabama and False Symmetry in the Disclosure Debate,
15 NYU JOURNAL OF LEGISLATION & PUBLIC POLICY 405 (2012).

Captive Constituents: Prison-Based Gerrymandering & the Current Redistricting Cycle,
22 STANFORD LAW & POLICY REVIEW 355 (2011).

Dodging a Bullet: *McDonald v. City of Chicago* and the Limits of Progressive Originalism,
19 WILLIAM & MARY BILL OF RIGHTS JOURNAL 369 (2010).

Silent at Sentencing: Waiver Doctrine and the Right to Present Mitigating Evidence,
62 FLORIDA LAW REVIEW 721 (2010).

Ready, Aim, Fire: *District of Columbia v. Heller* and Communities of Color (co-author),
25 HARVARD BLACKLETTER LAW JOURNAL 133 (2009).

The Current State of Residential Segregation and Housing Discrimination (co-author),
13 MICHIGAN JOURNAL OF RACE & LAW 337 (2008).

HONORS & PROFESSIONAL ACTIVITIES

- Honors: Best Asian Pacific American Lawyers Under 40, NAPABA (2017)
- Activities: New York City Charter Revision Commission (2018)
Campaign Legal Center, Litigation Strategy Council (2017-Present)
American Bar Association, Election Law Committee (2013-Present)
New York City Bar Association, Election Law Committee (2011-2012)
- Interests: Running; SCUBA Diving. Former professional actor (*Law & Order*, NY Shakespeare Festival)

BAR ADMISSIONS

New York
U.S. District Courts: SDNY, EDNY, NDNY, DDC, ED Wisc.
U.S. Courts of Appeals for the First, Second, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, & D.C. Circuits
United States Supreme Court